

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICOLE FORNI

Plaintiff

vs.

JOSHUA RESNICK, et al.

Defendants.

)
)
) CASE NO. 1:14-cv-09458
)
) JUDGE KATHERINE POLK FAILLA
)
)
)
)
) DISMISSAL ENTRY
) Fed.Civ.R. 41(a)
)
)
)
)

Now comes Plaintiff, pursuant to Fed.Civ.R. 41(a),¹ and hereby respectfully voluntarily dismisses this action without prejudice as

¹ **Federal Rule 41(a)** provides:

(a) **Voluntary Dismissal.**

(1) By the Plaintiff.

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an **answer** or a **motion for summary judgment**; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) Effect. Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits.

to all defendants other than **Amazon.com, Inc.** (who filed an answer on July 31, 2014 docket #55).

Respectfully submitted;

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PROOF OF SERVICE

I hereby certify that a true copy of the foregoing has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic record. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic system.

S/Michael J. O'Shea

Michael J. O'Shea